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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CIVIL DIVISION

SEVDIJA NOVOVIC,,
Administrator of the Estate of Rama
Novovic
Plav, Montenegro

and

SMAJLJE SRDANOVIC,
Administrator of the Estate of Rama
Novovic
90-10 34th Avenue
Jackson Heights, New York 11372

and

GLENN ZUCKERMAN
Administrator of the Estate of Rama
Novovic
Weitz & Luxenberg, P.C.
180 Maiden Lane
New York, New York 10038

Plaintiffs,

-vs-

2 : 09 CV 758
CIVIL ACTION NO. *8/26/2009*

CASE TYPE: MOTOR VEHICLE

DATE STAMP: *8/26/2009*

JURY TRIAL REQUESTED

GREYHOUND LINES, INC.)
c/o Alexander J. Drago)
Fabiani, Cohen & Hall, LLP)
570 Lexington Avenue)
New York, NY 10022)
)
and)
)
MOTOR COACH INDUSTRIES,)
c/o Howard C. Crystal, Partner)
Novack, Burnbaum Crystal, LLP)
300 East 42nd St.)
10th Floor)
New York, NY 10017)
)
and)
)
BRIAN FISHER)
422 Lehmer St.)
Latrobe, PA 15650)
)
and)
)
EDDIE McELFRESH)
516 First St.)
Cumberland, Ohio 43732)
)
Defendants.)

COMPLAINT

FIRST CAUSE OF ACTION

Plaintiffs , as and for their Complaint, allege that at all relevant times hereinafter mentioned:

1. Sevdija Novovic resides in Plav, Montenegro and is the widow of the late Rama Novovic.
2. At the time of his death, Rama Novovic was a citizen of New York, having been domiciled in Queens, New York.

3. Smajlje Srdanovic resides in Queens, New York.
4. Glenn Zuckerman resides in Great Neck, New York.
5. Plaintiffs were duly appointed Administrators of the Rama Novovic by the Surrogate of Queens County on April 13, 2008.
6. Greyhound Lines, Inc. (hereinafter "Greyhound") is, upon information and belief, a foreign corporation with its principal offices in Dallas, Texas and is a common carrier for hire.
7. Defendant Motor Coach Industries is, upon information and belief, a foreign corporation with its principal offices in Schaumberg, Illinois and is a common carrier for hire.
8. Brian Fisher resides in and is a citizen of Pennsylvania.
9. Eddie McElfresh resides in and is a citizen of Ohio.
10. The sum in controversy exceeds \$75,000.00, exclusive of interest and costs.
11. By virtue of the diversity of citizenship of the parties and the samount in controversy, this Court has jurisdiction.
12. Defendants are doing business in the State of New York.
13. On or before August 31, 2007, decedent, Rama Novovic, purchased a ticket from defendant, Greyhound, for travel on a Greyhound bus from New York City to St. Louis, MO.
14. Rama Novovic boarded a Greyhound bus in New York City and at approximately 3:00 a.m. on August 31, 2007, the Greyhound bus being driven by a Greyhound driver, defendant, Brian Fisher, malfunctioned, causing its driver to pull over to the side of Interstate 70 and stop.
15. Said bus was owned and maintained by defendants and operated by Greyhound's driver, Brian Fisher, with the consent, express and implied, of corporate defendants.
16. The Greyhound passengers including Rama Novovic, were permitted to disembark from

the bus and two passengers, including Rama Novovic, were hit by another vehicle operated by defendant, Eddie McElfresh, which was entering the Interstate.

17. Due to the aforesaid, Rama Novovic, suffered serious personal injuries.

18. The injuries suffered by Rama Novovic were due to the negligence, in whole or in substantial party, by defendants, Greyhound Lines, Inc., Motor Coach Industries and Brian Fisher, in the operation and maintenance of the Greyhound bus and by defendant, Eddie McElfresh, in the operation of his motor vehicle.

19. The conduct of the defendants in permitting passengers to disembark the bus in the night on a highway was wanton, reckless and in violation of statutes and Greyhound's own regulations.

20. By reason of the aforesaid, plaintiffs are entitled to recover damages from defendants in an amount that exceeds \$75,000.00.

SECOND CAUSE OF ACTION FOR WRONGFUL DEATH

21. Plaintiff's replead and reallege paragraphs 1-20 as if specifically pleaded herein.

22. Due to the aforesaid injuries, Rama Novovic expired on August 31, 2007.

23. Rama Novovic left him surviving distributees, his wife, Plaintiff Sevdija Novovic and his 3 children, all of whom reside in Plav, Montenegro.

24. By reason of the death of Rama Novovic, his distributees lost financial benefits, guidance, consortium, services and inheritances which plaintiffs may recover.

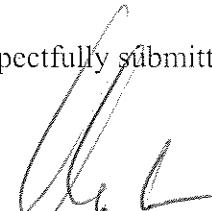
25. The damages suffered by plaintiffs due to the wrongful death of Rama Novovic exceeds \$75,000.00.

WHEREFORE, plaintiffs demand judgment against defendants in a sum that exceeds \$75,000.00.

JURY DEMAND

The Plaintiff demands a trial by jury composed of the maximum number of jurors allowed by law on all issues so triable.

Respectfully submitted,


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